

ANNUAL REPORT - 1988

PRINCE EDWARD ISLAND

LAND USE COMMISSION

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During the calendar year 1988 the Land Use Commission engaged in a broad range of activities relating to the use and ownership of land within the province. Seventy meetings were held during the year. The main activities of the Commission can be summarized as follows:

1. Appeals

The Land Use Commission hears appeals from persons who are dissatisfied with decisions made by government agencies and municipal governments under the Planning Act and the Unsuitably Properties Act. Most appeals (10 in 1988) are submitted by persons or companies who have been refused permission to subdivide their land or from persons who are refused a building permit. In a smaller number of cases, persons or municipalities are appealing decisions involving the approval of a subdivision or building permit (6 in 1988). In other cases people are appealing decisions by municipal councils on rezoning requests (3 in 1988). The Commission made decisions on all appeals under the Planning Act in 1988. Ten were appeals of decisions by the Department of Community and Cultural Affairs; the remainder were appeals of decisions made by municipalities under the authority of Official Plans and Zoning By-laws. The number of appeals heard by the Commission were seven more than those heard in the preceding year. Thirteen appeals were denied while six were allowed.

2. Lands Protection Act

The Commission continues to be responsible for making recommendations to Executive Council on all applications from non-resident and non-farm corporations seeking to acquire land in the province under the Lands Protection Act. The Commission is also responsible for the administration of the legislation.

During the course of the year the Commission made recommendations on 138 non-resident and 50 corporate applications. This represented a 40 per cent increase in applications from 1987. This increase can be attributed to:

- 1) individuals increasing their existing aggregate land holding and shorefrontage; and
- 2) the affect of the new legislative amendment which decreased the aggregate land holdings to greater than 5 acres and aggregate shorefrontage to greater than 165 feet.

Three requests to release land from land identification agreements were heard by the Commission, two were considered minor while the other major (Greenwich). The two minor requests were granted while hearings on the Greenwich case continued into 1989.

One application was made by an individual to acquire land in excess of 1,000 acres. The transaction was a bequest by an immediate family member and the application was approved.

Additional amendments to the Act which now allows land to be acquired by non-residents through family transfers, bequests reduced the number of applications that were normally treated as routine. Later in 1988, greater attention was paid to applications for acquisition of coastal land, active agricultural land, speculative land transactions and land intended for subdivision. Therefore, in many cases identification for non-development use was made a condition of purchase.

The processing fee of \$500.00 for all applications for permits and special permits, except provincially incorporated companies, with the majority of shares held by residents, accumulated revenues of \$71,000. in 1988.

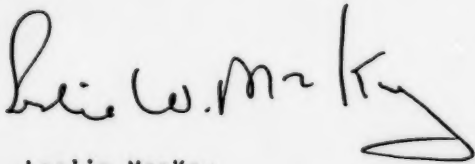
3. Official Plans

New Official Plans were approved for the Communities of Wellington, Sherbrooke, Union Road and Brackley. One for the Community of Winsloe South was still under review at the end of the year. Most suburban communities in the Charlottetown and Summerside areas now have their own Official Plans and associated by-laws. Official Plan reviews were approved for the Communities of Brudenell, St. Eleanor's, North River and Winsloe.

Hearings were held in the Communities of Winsloe South and Wellington to approve extensions to their respective boundaries. Recommendations were subsequently made to Executive Council regarding the proposed extensions.

5. Changes in Membership

In 1988, Ms. Barbara Stevenson resigned her position and Mr. Leslie MacKay was appointed to the Land Use Commission in the capacity of Chairman.

A handwritten signature in dark ink, appearing to read 'Leslie MacKay', with a stylized flourish at the end.

Leslie MacKay
Chairman

March 20, 1989